

## CLEAN LISTING OF CLAIMS

### Listing of Claims:

#### CLAIM 1 (CURRENTLY AMENDED):

A metal stud cutter comprising a first support member;  
a stud reception member which is perpendicularly attached to the first support member;  
and  
a handle member which is attached to the first support  
member and which includes a pair of severing members.

#### CLAIM 2 (CURRENTLY AMENDED):

The cutter of claim 1 which said handle member has serpentine shape.

#### CLAIM 3 (ORIGINAL):

The cutter of claim 1 which said stud reception member is a telescoping member.

#### CLAIM 4 (ORIGINAL):

The cutter of claim 1 where said stud reception member has a thickness which is substantially similar to the thickness of a metal stud member.

#### CLAIM 5 (ORIGINAL):

A cutter comprising a metal stud reception member; and  
a cutting assembly which is deployed proximate to one end of the stud reception member.

#### CLAIM 6 (CURRENTLY AMENDED):

The cutter of claim 5 which said cutting assembly comprising a serpentine handle member; and a pair of cutting members.

#### CLAIM 7 (ORIGINAL):

The cutter of claim 6 where each of said pair of cutting members is substantially identical.

**CLAIM 8 (ORIGINAL):**

The cutter of claim 5 which said metal stud reception member comprises a telescoping member.

**CLAIM 9 (CANCELED):**

**CLAIM 10 (CANCELED):**

**CLAIM 11 (CANCELED):**

**CLAIM 12 (CURRENTLY AMENDED):**

An assembly for cutting a metal stud having a rectangular shape, said apparatus comprising:

a metal stud reception portion having a certain shape which is similar to said metal stud, effective to receive and support said metal stud;

a support member having a first portion and a second portion, wherein said metal stud reception portion is mounted upon said second portion;

a serpentine shaped handle which is pivotally coupled to said second portion of said support member; and

a pair of substantially identical severing members which are pivotally coupled to said second portion and to said handle, said handle being effective to move said pair of severing members to a first open position when said handle is moved away from said support member and to an second closed position when said handle is moved toward said support member.

**CLAIM 13 (PREVIOUSLY PRESENTED):**

The assembly of claim 12 wherein said support member further comprises a pair of feet, which cooperate with said support member to support said metal stud reception portion.

**CLAIM 14 (PREVIOUSLY PRESENTED):**

The assembly of claim 12 wherein said metal stud reception portion has a longitudinal axis of symmetry which is disposed in a first direction and said support member and said handle each

have longitudinal axes of symmetry which are orthogonal to said first direction.

**CLAIM 15 (PREVIOUSLY PRESENTED):**

The assembly of claim 12 wherein each of said pair of severing members have a first and a second sharp edged engagement members, wherein said first and second engagement members face toward said metal stud reception portion when said severing members are in said second closed position.